

110TH CONGRESS
1ST SESSION

H. R. 132

To impose a criminal penalty on an alien who fails voluntarily to depart the United States after securing permission to do so, or who unlawfully returns to the United States after voluntarily departing.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2007

Mr. GALLEGLY introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To impose a criminal penalty on an alien who fails voluntarily to depart the United States after securing permission to do so, or who unlawfully returns to the United States after voluntarily departing.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CRIMINAL PENALTIES RELATING TO VOL-**
4 **UNTARY DEPARTURE.**

5 Section 240B(d) of the Immigration and Nationality
6 Act (8 U.S.C. 1229c(d)) is amended—

(1) in the subsection heading, by striking “CIVIL PENALTY” and inserting “CIVIL AND CRIMINAL PENALTIES”;

(2) in paragraph (1)—

(A) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(B) by inserting before subparagraph (B) (as so redesignated) the following:

“(A) shall be imprisoned for a term of years not less than 1 and not more than 4 and fined in accordance with title 18, United States Code;”;

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following:

“(3) REENTRY OF DEPARTED ALIENS.—Whoever is permitted to depart voluntarily under this section, and thereafter enters, attempts to enter, or is present in, the United States in violation of law shall be imprisoned for a term of years not less than 1 and not more than 4 and fined in accordance with title 18, United States Code.”.